

**COMMITTEE ON WATER AND SANITATION**  
(Standing Committee of Berkeley County Council)

**Chairman:** Mr. Timothy J. Callanan, Council Member District No. 2

A meeting of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council, was held on **Monday, January 11, 2010**, in the Assembly Room of the Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina, at 7:14 p.m.

**PRESENT:** Chairman Timothy J. Callanan, Council District No. 2; Committee Member Phillip Farley, Council District No. 1; Committee Member Robert O. Call, Jr., Council District No. 3; Committee Member Cathy S. Davis, Council District No. 4; Committee Member Dennis L. Fish, Council District No. 5; Committee Member Jack H. Schurlknight, Council District No. 6; Committee Member Caldwell Pinckney, Jr., Council District No. 7; Committee Member Steve C. Davis, Council District No. 8; Supervisor Daniel W. Davis, ex officio; Ms. Nicole Scott Ewing, County Attorney; and Ms. Barbara B. Austin, Clerk of County Council.

In accordance with the Freedom of Information Act, the electronic and print media were duly notified.

Chairman Callanan called the meeting to order and asked for approval of minutes from the meeting of the Committee on Water and Sanitation held December 14, 2009.

It was moved by Committee Member Farley and seconded by Committee Member Fish to **approve** the minutes as presented. The motion passed by unanimous voice vote of the Committee.

**A. Consideration of a Resolution** urging the South Carolina General Assembly to amend Section 48-1-83 of the S.C. Code of Laws.

Mr. Doug Tompkins, Deputy Director Operations, Berkeley County Water and Sanitation, greeted the Committee and requested the approval of a Resolution amending the Code of Laws 48-1-83. All of the dischargers into the Cooper River are passing this Resolution. If there is a discharge into a stream that has a naturally low DO, the original law stated that DO can only be reduced to .1 mg/l. In 1999, the law was changed to .10 mg/l. DHEC and EPA use the standard of .10 mg/l. The difference between .1 and .10 is basically .045 ppm.

Committee Member Pinckney inquired as to how would .1 mg/l versus .10 mg/l affect the public?

Mr. Tompkins replied that if treatment is required to the standard of .10 mg/l, the Central and Lower Berkeley would have to be upgraded at a cost of \$40 to \$45 million and it would raise the sewer rates increase 17%.

Committee Member Pinckney stated that .10 mg/l would cause rates to increase. .1 mg/l would keep the rates at the same level with no measureable difference.

Mr. Tompkins stated there is no technology to measure more than .1 mg/l. Millions of dollars could be spent and the DO could not be measured in a stream.

Committee Member Schurlknight inquired if this would be compatible with the EPA regulations?

Mr. Tompkins responded that the EPA does recognize .1 mg/l. Georgia also uses .1 mg/l. If industries are considering to locate in the area would have to meet a .10 mg/l in South Carolina versus a .1 mg/l standard in Georgia. The industry would have to treat less and would probably locate in Georgia. This standard also applies to North Carolina.

Committee Member Fish inquired if the standard has to be met at this time or in the future?

Mr. Tompkins stated that DHEC is attempting to write the permits. The permits are based on .10 mg/l. If the Legislative Delegation supports the amendment to State Law 48-1-83, then DHEC would modify the permits to reflect .1 mg/l. This protects water quality and will not object to the amendment. The standard is used in the Savannah River and the Waccamaw River.

Committee Member Fish inquired as to the effects in Charleston and Dorchester counties?

Mr. Tompkins replied it affects the Cooper, Ashley and Wando Rivers and the Charleston Harbor System.

Committee Member Fish inquired if this is a joint effort with the three counties?

Mr. Tompkins replied that all major industry dischargers and all public utilities are involved.

Supervisor D. Davis stated that it is a statewide rule, not a local rule. The Cooper River is a low DO river and the most affected.

Mr. Tompkins stated that it would help the issue with the Savannah River and any other river that may in the future have low DO.

Supervisor D. Davis stated it is critical to pass this resolution because the permits are being drawn under the .10 mg/l rule and have already been approved by the COG. If the legislation is amended in time, then the permits can be recalculated to the .1 mg/l rule. If the legislation is changed next year, Federal law stated that once permits are drawn based on the .10 mg/l, they can never be changed. The legislation would need to be passed before DHEC issues the permits based on .10 mg/l.

Chairman Callanan inquired if it had been pre-filed in this Legislative session with local sponsors?

Mr. Tompkins replied that several legislators have agreed to sponsor the amendment but has not been pre-filed.

Supervisor D. Davis responded that all the governmental entities that have sewer systems are on board with the amendment. The problem is that environmental organizations oppose it. Senator Leventis from Sumter County is the chief opponent.

It was moved by Committee Member Schurlknight and seconded by Committee Member Fish to **approve** Consideration of a **Resolution** urging the South Carolina General Assembly to amend Section 48-1-83 of the S.C. Code of Laws. The motion passed by majority voice vote of the Committee. Committee Member S. Davis voted "Nay".

**B. Consideration prior to First Reading** of an ordinance to amend the Code of Ordinances, Berkeley County, South Carolina, regarding procurement procedures for **Berkeley County Water and Sanitation**.

Ms. Angela Pinson, Director of Administration, Berkeley County Water and Sewer, stated the ordinance is to mirror the ordinance recently adopted by the County to allow the same local vendor preference.

It was moved by Committee Member S. Davis and seconded by Committee Member Fish to **approve** prior to **First Reading** of an ordinance to amend the Code of Ordinances, Berkeley County, South Carolina, regarding procurement procedures for **Berkeley County Water and Sanitation**. The motion passed by unanimous voice vote of the Committee.

It was moved by Committee Member S. Davis and seconded by Committee Member C. Davis to **adjourn** the Committee on Water and Sanitation meeting. The motion passed by unanimous voice vote of the Committee.

The meeting ended at 7:23 pm.

February 8, 2010  
Date Approved

**COMMITTEE ON WATER AND SANITATION**  
(Standing Committee of Berkeley County Council)

Chairman: Mr. Timothy J. Callanan, District No. 2

Members: Mr. Phillip Farley, District No. 1  
Mr. Robert O. Call, Jr., District No. 3  
Mrs. Cathy Davis, District No. 4  
Mr. Dennis L. Fish, District No. 5  
Mr. Jack H. Schurlknight, District No. 6  
Mr. Caldwell Pinckney, Jr., District No. 7  
Mr. Steve C. Davis, District No. 8  
Mr. Daniel W. Davis, Supervisor, ex officio

A **meeting** of the **COMMITTEE ON WATER AND SANITATION**, Standing Committee of Berkeley County Council will be held on **Monday January 11, 2010**, following the meetings of the Committees on Land Use and Justice and Public Safety at **6:00 p.m.**, in the Assembly Room, Berkeley County Administration Building, 1003 Highway 52, Moncks Corner, South Carolina.

**AGENDA**

**APPROVAL OF MINUTES**

**December 14, 2009**

**A. Consideration** of a **Resolution** urging the South Carolina General Assembly to amend Section 48-1-83 of the S.C. Code of Laws.

**B. Consideration** prior to **First Reading** of an ordinance to amend the Code of Ordinances, Berkeley County, South Carolina, regarding procurement procedures for **Berkeley County Water and Sanitation**.

January 6, 2010  
S/Barbara B. Austin, CCC  
Clerk of County Council